

Notice of Allowability

Application No.

10/632,287

Examiner

Daniel S. Larkin

Applicant(s)

FASCINATO ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to submission of RCE submitted 17 August 2005.
2. ☒ The allowed claim(s) is/are 1-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


DANIEL S. LARKIN
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

SPECIFICATION:

Page 1, paragraph [0001], line 2: **Insert** a -- comma -- prior to the term "such".

Page 1, paragraph [0002], line 1: **Insert** a -- comma -- prior to the term "such".

Page 1, paragraph [0004], line 3: **Insert** a -- comma -- prior to the term "such" and after the term "wax".

Page 3, paragraph [0010], line 14: **Insert** a -- period -- after the term "measurement".

Page 4, paragraph [0016], line 1: **Insert** a -- comma -- prior to the term "such".

Page 4, paragraph [0021], line 1: **Correct** the article "The" to read -- An --.

Page 4, paragraph [0021], line 2: **Correct** the article "the" to read -- an --.

Page 4, paragraph [0021], line 6: **Insert** a -- comma -- prior to the term "opposite" and after reference numeral "28".

Page 4, paragraph [0021], line 6: **Insert** the article -- a -- prior to the term "profiling".

Page 5, paragraph [0023], line 3: **Insert** a -- comma -- after reference numeral "42".

Page 5, paragraph [0025], line 3: **Insert** a -- comma -- after the term "embodiment".

Page 6, paragraph [0027], line 4: **Correct** the first occurrence of the article "the" to read -- a --.

Page 6, paragraph [0028], lines 4 and 10: **Correct** the numeral "1" to read -- one --.

CLAIMS:

Re claims 11 and 12, claim line 2: **Correct** the phrase "V shaped" to read -- V-shaped --.

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The prior art to US 2,601,703 (Sawyer) discloses a method for testing for surface defects comprising manufacturing plastic replicas of the surface features of machine elements and subsequently inspecting the replicas to determine the nature and extent of surface defects thereon.

The prior art to US 4,043,187 (Tomomatsu) discloses a method of measuring surface roughness of an object indirectly according to a tracer method by forming two different kinds of replicas. The first replica is made of a flexible material, which can be easily stripped off from either the object surface or from the surface of the second

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replica. The second replica is made of a material with high hardness so that it will not suffer from any scratch or flaw from the tracer even when it hits the replica. Surface configuration of the object to be measured is transferred to the first replica and the surface configuration of the first replica is then transferred to the second replica, and surface roughness of this second replica is measured with a tracer.

The prior art to US 4,951,497 (Gilibert) discloses a process for measuring the roughness of a surface of a piece in which there is applied on the rough surface of the piece a first surface of a deformable flat element and there is exerted on a second surface of the deformable flat element, parallel and opposite the first surface, a constant pressure in the direction of the piece, so that the first surface of the deformable element closely follows the profile of the rough surface, penetrating between the peaks of this rough surface, wherein the deformable flat element is made of a material having a high degree of reversible elastic deformability so that the first surface of the element penetrates elastically and reversibly between the peaks of the rough surface, and the deformation or the resultant displacement of the second surface of the deformable element is measured in situ, i.e. while the deformable flat element is being pressed against the rough surface. The invention also relates to an apparatus for carrying out this process.

The prior art to US 5,344,302 (Beehler et al.) discloses a tool for remotely obtaining an impression of a component surface. A support pole is used to position a mold plate having sidewalls against a component surface. A piston from a pneumatic

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cylinder attached to a support pole is used to force impression material into the space between the mold plate and component surface. An adhesive plate on the mold plate insures removal of the impression with the mold plate once the impression material has hardened. The surface condition of the component may be determined by inspection of the negative impression.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel S. Larkin whose telephone number is 571-272-2198. The examiner can normally be reached on 8:00 AM - 5:00 PM Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on 571-272-2208. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel Larkin
AU 2856
07 November 2005


DANIEL S. LARKIN
PRIMARY EXAMINER